

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DUNKIN' DONUTS FRANCHISED	:
RESTAURANTS, LLC,	:
DD IP HOLDER LLC,	:
	:
Plaintiffs,	: Case No. 07-CV-3699 (HB)
	:
v.	:
	:
AKCL INT'L GROUP, LTD.,	:
	:
Defendant.	:
	:
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CERTIFICATION OF RONALD D. DEGEN PURSUANT TO LOCAL RULE 6.1(d)

1. I am a member of the Bar of this Court and a member of the firm of O'Rourke & Degen, PLLC, local counsel for Plaintiffs Dunkin' Donuts Franchised Restaurants LLC ("Dunkin' Donuts") and DD IP Holder LLC.

2. I have been outside counsel for Dunkin' Donuts in New York State for more than 25 years, and am fully familiar with the facts and circumstances of this case and the operation of Dunkin' Donuts franchises.

3. This Certification is being submitted in support of Plaintiffs' motion for a preliminary injunction.

4. The statements made in Plaintiffs' Memorandum of Law and signed by me are hereby incorporated herein by reference and made part of this Certification.

REASON FOR REQUEST FOR PROCEEDING BY ORDER TO SHOW CAUSE

5. On April 19, 2007 a member of the Steritech Group, Inc. ("Steritech"), a third party hired by Dunkin' Donuts, went to Defendant's place of business and observed numerous

standards violations relating to health, sanitation and safety. Steritech delivered a Food Safety and Sanitation Inspection Form listing the violations (Exhibit 2A) and a notice to cure (Exhibit 2-B) to Defendant.

6. On April 25, 2007 an employee of Dunkin' Donuts inspected the shop and observed that numerous standards violations still existed at the shop. He took photographs of the Premises showing that food and sanitation violations were still present. (Exhibit 2-C). Immediate relief is needed, because Defendant has refused to remove violations listed on the Food Safety & Sanitation Inspection Report (Exhibit 2-A).

7. Every day the health of consumers and the reputation of Dunkin' Donuts are at risk as a result of the refusal of Defendant to clean up its store. The potential damage to the reputation of Dunkin' Donuts may be incapable of being repaired.

8. Unless this Court allows Plaintiffs to proceed by order to show cause, valuable time will have been lost and Defendant will be able to continue to operate a Dunkin' Donuts shop that has numerous violations of health and safety standards, including rodent droppings, expired food products, damaged refrigerator gaskets, and generally unclean and poorly maintained premises.

CERTIFICATIONS SUBMITTED IN SUPPORT OF MOTION

9. In support of this application Plaintiffs are submitting the Certifications of Jack Laudermilk and Michael Gaspar (Exhibits 1 and 2).

NO PREVIOUS APPLICATION

10. No previous request has been made for the relief requested herein.

I certify under penalty of perjury that the foregoing is true and correct. Executed on this

14th day of May, 2007.

/s/ Ronald D. Degen

RONALD D. DEGEN (RD 7808)